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*Attorney for Defendants Salt Lake  
City Corporation and Yvette Zayas*

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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

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JESSE FRUHWIRTH,

Plaintiff,

v.

YVETTE ZAYAS, Salt Lake City Police Officer; CHRISTOPHER BURBANK, Salt Lake City Police Chief; TESORO COMPANIES, INC., a Delaware Corporation; TESORO REFINING & MARKETING COMPANY, LLC, a Delaware Limited Liability Corporation; JOHN DOES I-XX, Salt Lake City Police Officers; MAYOR RALPH BECKER, Mayor of Salt Lake City; and SALT LAKE CITY, a Municipal Corporation,

Defendants.

**DEFENDANTS SALT LAKE CITY  
CORPORATION AND YVETTE ZAYAS  
VERIFIED MEMORANDUM IN  
SUPPORT OF BILL OF COSTS**

Case No: 2:14-cv-00644

Hon. Dee Benson

I, Samantha J. Slark, counsel for Defendants Yvette Zayas and Salt Lake City Corporation, hereby provide this Verified Bill of Costs pursuant to 28 U.S.C. § 1924.

1. I am the counsel of record for Defendants Salt Lake City Corporation and Yvette Zayas. I have either direct or indirect personal knowledge of the facts set forth below. I declare

under penalty of perjury that each of the costs listed herein are allowed by law as a cost awarded to a prevailing party in a civil case; that each such item is correct and stated accurately; and that each item was necessarily incurred as a cost in the case.

2. Pursuant to Federal Rule of Civil Procedure 54(d)(1) "costs other than attorneys fees shall be allowed as of course to the prevailing party unless the court otherwise directs." The Defendants are the prevailing party, as evidenced by the Memorandum Decision (Sealed), filed on September 6, 2016.

3. Costs that may be taxed are specified in 28 U.S.C. § 1920. *See also Sorbo v. United Parcel Service*, 432 F.3d 1169, 1179 (10th Cir. 2005). These costs, as relevant here, include: "(1) fees of the clerk or marshal; (2) fees for printed or electronically recorded transcripts necessarily obtained for use in the case; (3) fees and disbursements for printing and witnesses; and (4) fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case." 28 U.S.C. § 1920.

4. The following deposition transcript costs were necessarily incurred in this case:

Date	Vendor	Deponent	Amount
11/3/15	Garcia & Love	Yvette Zayas	\$ 130.05
11/3/15	Garcia & Love	Clyde Foreman	\$ 118.35
<b>TOTAL</b>			<b>\$ 248.40</b>

5. The following fees for printing and making copies of materials were necessarily incurred in this case:

Date	Cost	Quantity	Description	Amount
3/2/16	\$0.10	209	Copies of City Defendants' Motion for Summary Judgment and Memorandum in Support	\$ 20.90
3/2/16	\$0.10	22	Copies of Exhibits Filed Under Seal in Support of City Defendants' Motion for Summary Judgment	\$ 2.20

3/2/16	\$1.00	6	DVDs of Conventionally Filed Exhibits in Support of City Defendants' Motion for Summary Judgment	\$ 6.00
4/4/16	\$0.10	57	Copies of City Defendants' Opposition to Plaintiff's Motion for Partial Summary Judgment Against Defendant Yvette Zayas	\$ 5.70
4/19/16	\$0.10	29	Copies of City Defendants' Reply Motion for Summary Judgment	\$ 2.90
<b>TOTAL</b>				<b>\$ 37.70</b>

6. In total, the Defendants incurred \$286.10 in taxable costs.

7. Copies of all relevant invoices, bills, and receipts relating to the above costs are attached to the Bill of Costs filed concurrently herewith.

DATED this 16<sup>th</sup> day of September, 2016.

/s/ Samantha J. Slark  
Samantha J. Slark  
*Attorneys for Defendants Salt Lake City and  
Yvette Zayas*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 16<sup>th</sup> day of September, 2016, a true and correct copy of **DEFENDANTS SALT LAKE CITY CORPORATION AND YVETTE ZAYAS VERIFIED MEMORANDUM IN SUPPORT OF BILL OF COSTS** was filed with the Court using the CM/ECF system, which sent notice to following:

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*Attorneys for Tesoro*

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/s/ Heidi Medrano

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